

1631
PATENT

Case Docket No. TOYAM75.001AUS

Date: February 17, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Aotsuka
Appl. No. : 09/917,330
Filed : July 27, 2001
For : METHOD FOR PRODUCING
DNA
Examiner : L. Clow
Group Art Unit : 1631

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

February 18, 2004

(Date)

Che Chereskin

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 with seven (7) references.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

Che S. Chereskin

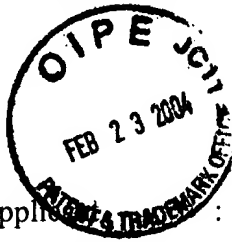
Che Swyden Chereskin, Ph.D.

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Customer No. 20,995

(949) 760-0404



INFORMATION DISCLOSURE STATEMENT

Applicant : Aotsuka
App. No. : 09/917,330
Filed : July 27, 2001
For : METHOD FOR PRODUCING DNA
Examiner : L. Clow
Group Art Unit : 1631

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing 7 references that are also enclosed.

This Information Disclosure Statement is being filed before the mailing date of a final action under 37 C.F.R. § 1.113 and before the mailing date of a Notice of Allowance under § 1.311. A certification under 37 C.F.R. § 1.97(e) is set forth below. Thus, no fee is required as set forth in 37 C.F.R. § 1.97(c).

CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(1)

I hereby certify that each item of information contained in this Statement was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Feb. 18, 2004

By: Che S. Chereskin

Che Swyden Chereskin, Ph.D.

Registration No. 41,466

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FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. TOYAM75.001AUS	APPLICATION NO. 09/917,330
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)		APPLICANT Aotsuka	
		FILING DATE July 27, 2001	GROUP 1631

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		WP 94/10315	05/11/94	WIPO				
		WP 99/16904	04/08/99	WIPO				

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)
	Horton, et al. "Engineering Hybrid Genes Without the Use of Restriction Enzymes: Gene Splicing by Overlap Extension," <i>Gene</i> , Vol. 77, pp. 61-68, 1989
	Sandhu, et al. "Dual Asymmetric PCR: One-Step Construction of Synthetic Genes," <i>BioTechniques</i> , Vol. 12, No. 1, pp. 14-16, 1992
	White, et al. "Concatemer Chain Reaction: A Tag DNA Polymerase-mediated Mechanism for Generating Long Tandemly Repetitive DNA Sequences," <i>Analytical Biochemistry</i> , Vol. 199, pp. 184-190, 1991
	Ye, et al. "Gene Synthesis and Expression in <i>E. Coli</i> for Pump, A Human Matrix Metalloproteinase," <i>Biochemical and Biophysical Research Communications</i> , Vol. 186, No. 1, pp. 143-149, 1992
	European Search Report completed December 4, 2003 and issued in a related pending foreign application

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EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	